

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HARDER, et al Examiner: Unknown
Serial No: xx/xxx,xxx Art Unit: Unknown
For: THE USE OF ONE OR MORE ELEMENTS FROM THE GROUP
CONTAINING YTTRIUM, NEODYMIUM AND ZIRCONIUM
Filed: May 13, 2005 Date: May 13, 2005

Commissioner of Patents and Trademarks
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Under 37 CFR §1.97

This Information Disclosure Statement is filed with the application papers in the case, so it is timely filed without payment of a fee. 37 CFR §1.97(b). This case is a national stage entry of PCT/EP03/012532, filed November 10, 2003, which claims priority from German patent application DE 102 53 634.1.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 CFR §1.56(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13, at 25.

This Information Disclosure Statement is made to comply with the duty of candor imposed on all individuals associated with the filing or prosecution of this application, as defined by 37 CFR §1.56(c).

The PTO did not receive the following
listed item(s) reference with the
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1449.

Five (5) U.S. Patents and eight (8) foreign patent documents are listed on the attached two (2) sheets of Form PTO/SB/08A which is made a part hereof. A copy of each document is enclosed. Fifteen (15) non patent literature documents are listed on the attached two (2) sheets of Form PTO/SB/08B. A copy of each document, other than the U.S. Patents, is enclosed. All of the foreign language documents are cited in the PCT International Search Report or in the Search Report for DE 102 53 634.1, from which the PCT application claims priority. Copies of these Search Reports are also enclosed.

The foregoing Information Disclosure Statement is based upon the information known to the inventor or contained in the undersigned attorney's file as of the filing date of this statement and is inclusive of the best information known to each of the undersigned at that date. Prompt consideration of the Information Disclosure Statement and the references by the Examiner is earnestly requested.

Respectfully submitted,



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Atty. Docket: 117163.00137

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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Application Number

Filing Date

05/12/2005

First Named Inventor

Harder et al.

Art Unit

Examiner Name

Unknown

Attorney Docket Number

117163.00137

U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	BF	DE 101 28 100 A1	12/19/2002	Meyer-Lindenberg, et al.		
	BG	DE 197 31 021 A1	01/21/1999	Heublein, Bernd		
	BH	EP 0 518 061 A2	12/16/1992	Rehau AG & Co.		

Examiner Signature		Date Considered	
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PTO/SB/08a (08-03)

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Application Number	JCT13 Rec'd PCT/PTO 13 MAY 2009
Filing Date	05/12/2005
First Named Inventor	Harder et al.
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	117163.00137

Sheet	1	of	2
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	BA	WO	02/100452 A1	12/19/2002	Meyer-Lindenberg, et al.		
	BB	EP	0 770 391 A2	05/02/1997	de Lacharriere, et al.		
	BC	DE	199 45 049 A1	03/22/2001	Hausdorf, et al.		
	BD	DE	1953 241	05/13/1971	Stroganow, et al.		
	BE	DE	101 18 603 A1	10/17/2002	Hausdorf, et al.		

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Substitute for form 1449B/PTO			JC13 Rec'd PTO Complete if known 13 MAY 2005		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Application Number		
			Filing Date	05/13/2005	
			First Named Inventor	Harder et al	
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			Examiner Name	Unknown	
Sheet	1	of	2	Attorney Docket Number	117163.00137

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		S. Hirano, N. Kodama, K. Shibata and K.T. Suzuki, "Metabolism And Toxicity Of Intravenously Injected Yttrium Chloride in Rats," Toxicology and Applied Pharmacology, Academic Press, Inc., No.121, p.224-232, (March 24, 1993)	
		C. PICONI AND G. MACCAURO, "ZIRCONIA AS A CERAMIC BIOMATERIAL," ELSEVIER, Elsevier Science Ltd., p. 1-25, (December 18, 1997).	
		S.HIRANO, N. KODAMA, K. SHIBATA AND KT. SUZUKI, "Distribution, Localization, And Pulmonary Effects Of Yttrium Chloride Following Intratracheal Instillation Into The Rat," Toxicology and Applied Pharmacology, Academic Press, Inc., No. 104, p. 301-311, (March 5, 1990).	
		K. T. SUZUKI, E. KOBAYASHI, Y. ITO, H. OZAWA AND E. SUZUKI, "Localization And Health Effects Of Lanthanum Chloride Instilled Intratracheally Into Rats," Toxicology, Elsevier Scientific Publishers (Ireland), No. 76, p. 141-152, (August 19, 1992).	
		K. MARUBASHI, S. HIRANO, AND K. T. SUZUKI, "Effects Of Intratracheal Pretreatment With Yttrium Chloride On Inflammatory Responses Of The Rat Lung Following Intratracheal Instillation Of YCl ₃ ," Toxicology Letters, Elsevier Science (Ireland), No. 99, p. 43-51, (July 16, 1998).	
		Y. CHEN, Z.D. CAO, Y. LU, X.R. WANG, "Effects Of Rare Earth Metal Ions And Their EDTA Complexes On Antioxidant Enzymes Of Fish Liver," Bulletin of Environmental Contamination and Toxicology, Springer-Verlag (New York), No. 65, p. 357-365, (June 13, 2000).	
		L. CUNAT, H. MEMBRE, L. MARCHAL, M. CHAUSSIDON; AND D. BURNEL, "The Effects Of Aluminum, Iron, Chromium And Yttrium On Rat Intestinal Smooth Muscle In Vitro," Biological Trace Element Research, Humana Press, p. 43-59, (September 6, 1987).	
		B. HEUBLEIN, R. ROHDE, M. NIEMEYER, V. KAESE, W. HARTUNG, "Degradation Of Metallic Alloys - A New Principle In Stent Technology," (February 2000)	
		B. MILINAR AND J. ENYEART, "Block Of Current Through T-Type Calcium Channels By Trivalent Metal Cations And Nickel In Neural Rat And Human Cells," Journal of Physiology, p. 639-652, (November 17, 1992).	
		A.M. BEEDLE, J. HAMID, G.W. ZAMPONI, "Inhibition of Transiently Expressed Low-And-High-Voltage-Calcium Channels By Trivalent Metal Cations," The Journal of Membrane Biology, Springer-Verlag (New York), p. 225-238, (February 6, 2002).	

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				Art Unit	Unknown
				Examiner Name	Unknown
Sheet	2	of	2	Attorney Docket Number	117163.00137

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Y. WANG, M. ZHANG AND X. WANG, "Population Growth Responses Of Tetrahymena Shanghaiensis In Exposure To Rare Earth Elements," Biological Trace Element Research, Humana Press, Inc., p. 265-275 (2000)	
		V.D. APPANNA, R. D. HAMEL, E. PANKAR AND S. PUISEUX-DAO, "Bioaccumulation Of Yttrium In Pseudomonas Fluorescens And The Role Of The Outer Membrane Component(s)," Microbios, The Faculty Press (Great Britain), p. 19-30, (2001)	
		J. LEVESQUE, D. DUBE, M. Fiset AND D. MANTOVANI, "Investigation Of Corrosion Behaviour Of Magnesium Alloy AM60B-F Under Pseudo-Physiological Conditions," Materials Science Forum, Trans Tech Publications (Switzerland), p. 521-526, (2003)	
		Aleksakhina NN, Miriasova LV, Basnak'ian IA, "Effect Of Metal Oxides On The Growth, Hemolytic and Serologic Properties of Klebsiella Pneumoniae," Zh Mikrobiol Epidemiol Immunobiol, 6:13-8 (Nov-Dec, 2002)	
	*	Yang H. Ji Q, Zhang X, "Studies On Effects of Yttrium Chloride and Praseodymium Chloride on Frequency of Micronucleus in Human Blood Lymphocytes," Zhonghua Yu Fang Yi Xue Za Zhi, 32(3): 156-158 (1998)	

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